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Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur

I. Introduction

1. The present report is submitted pursuant to paragraph 17 of Security Council resolution 1828 (2008) of 31 July 2008, by which the Council requested me to report every 60 days on developments on the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the political process, the security and humanitarian situation in Darfur, and all parties' compliance with their international obligations. The report covers the months of August and September 2008 and provides an update on developments which occurred in early October 2008.

II. Developments relating to UNAMID

2. As at 10 October 2008, the total strength of UNAMID uniformed personnel was 10,527, including 8,579 military personnel (8,142 troops, 285 staff officers, 113 military observers and 29 liaison officers), and 1,948 police personnel (1,808 individual police officers and one formed police unit of 140 personnel).

3. Recruitment of civilian staff stood at 2,564 of 5,557 authorized posts, or 46 per cent of full capacity. This figure is comprised of 654 international staff, 1,704 national staff and 215 United Nations Volunteers. In addition, there are 42 staff on short-term temporary assignments from other missions deployed to UNAMID. Meanwhile, 153 international civilian staff and 29 United Nations Volunteers have been selected and are on travel status.

III. Deployment of UNAMID

4. During the reporting period, the 190-member advance party of the first Ethiopian battalion arrived in Kulbus on 16 August, accompanied by a force protection company of 170 personnel. Preparations for establishment of the Nigerian Level II Hospital in Sector West began with the deployment of 96 personnel to El Geneina on 13 September. On 15 September, the advance component of 72 drivers and 4 officers from the first Egyptian battalion arrived in Um Kadada, where the battalion will be located. These Egyptian personnel subsequently flew to El Obeid and moved their contingent-owned equipment, through "self-drive", from

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El Obeid to Um Kadada on 22 September. A rotation of the 196-member Gambian defence company located at UNAMID Force Headquarters in El Fasher was also completed on 2 August.

5. Over the course of the remainder of the year, a considerable number of military units, as well as two formed police units, will be deployed to Darfur. The units expected to deploy in October will include the 348-strong main body of the Bangladeshi multi-role logistics company, 148 members of the Egyptian Transport Unit, the 40-personnel advance party of the Pakistani engineer company, and the main bodies of the first Ethiopian and Egyptian battalions (with 440 and 632 personnel, respectively). Deployment of formed police units from Nepal and Indonesia is also expected to be completed in October.

6. In addition, the 10 infantry battalions already deployed to Darfur will commence their rotations in October (four each from Nigeria and Rwanda, one from Senegal and one from South Africa). These troop-contributing countries continue to work towards bringing these units to United Nations standard strength of 800 personnel and ensuring that they are deployed with the required equipment. This would result in an increase of 1,468 troops.

7. Thus far, Rwanda has informed the United Nations that the strengthened and upgraded battalions are ready to deploy and that all necessary equipment has been acquired, with the exception of armoured personnel carriers, which have been procured and are scheduled to begin arriving in Rwanda in November. In accordance with standard practice, the Department of Peacekeeping Operations and the Department of Field Support subsequently dispatched staff to Rwanda for a predeployment visit, which will provide final confirmation of readiness to deploy. Although the visit had not been completed at the time of drafting, it is expected that a positive report will result from the assessment team in the movement of these troops and their equipment to Darfur by airlift in the coming weeks, with the assistance of the United States of America, under the auspices of the Friends of UNAMID.

8. Preparations are also under way for the deployment of additional units in November and December. These troops will include the Pakistani Level III Hospital and its 156 personnel, the 289-strong main body of the Pakistani engineering company, the 150-member Bangladeshi Sector Reserve Company, and 545 Ethiopian troops (the 125-member Transport Unit, the 120-member Sector Reconnaissance Company, and the 300-strong Multi-role Logistics Unit). It is also expected that the Egyptian formed police unit will deploy at the end of 2008.

9. This would amount to 4,216 new troops being deployed by December 2008, for a total of 12,795 military personnel (presuming that the infantry battalions already on the ground rotate at the United Nations strength). In addition, the remainder of the year will see an increase in the deployment of police with three formed police units (of 140 officers each). Taken together, these deployments will bring the total of UNAMID military and police personnel to 14,823, or 60 per cent of the total authorized strength by the end of 2008.

10. The Council will note that the conditions required to achieve 80 per cent deployment of UNAMID by the end of 2008 included a major increase in the flow of contingent-owned equipment into Darfur, and a significant enhancement of the engineering capabilities required to prepare for the arrival of incoming units and

personnel. While concerted action continues in both of these areas, recent developments have made it clear that the originally envisaged target of 80 per cent will more likely be achieved only by the end of March 2009.

11. One of the main challenges to UNAMID deployment, and specifically the movement of contingent-owned equipment into Darfur, is the 1,400-mile supply line between Port Sudan and Darfur. The local capacity for ground transportation is limited; there are only a few local contractors available, which caters to UNAMID and other United Nations system agencies and humanitarian organizations, and the cash-based payment system in Darfur has required the United Nations to change its financial transaction procedures. In addition, the environment of heightened insecurity had a direct impact on UNAMID efforts to move contingent-owned equipment into Darfur. Concerned with safety, some local contractors refused to transport UNAMID assets or sought to reduce financial risk by allocating ill-maintained vehicles and inexperienced drivers to these duties, particularly for the drive between the United Nations logistics base in El Obeid and Darfur. This contributed to the slow movement of contingent-owned equipment into Darfur.

12. The land transportation of heavy equipment (e.g., medical and engineering material) is particularly problematic for other reasons, intrinsic to Darfur. Rains in August and September made the southern route from El Obeid to Nyala impassable for those months. During that period, UNAMID was able to move three convoys involving 165 vehicles through the northern route between El Obeid and El Fasher. One of the convoys led by UNAMID police with the Government force protection took eight days to complete the 800-km journey from El Obeid to El Fasher, as low-bed trucks carrying heavy equipment were too wide for the deep, sandy, unpaved desert trails, and releasing a vehicle stuck on the road took as long as 24 hours. The 40-vehicle convoy was further delayed when it was joined at the Kordofan-Darfur border by more than 100 World Food Programme (WFP) trucks, which had stood idle for three weeks, reportedly owing to the lack of escorts.

13. Despite these difficulties, movement by road continues to be the most important means of transporting equipment into Darfur. Detailed analysis shows that it is the most cost-effective means for moving a high volume of heavy material into the area of operations — assuming that sufficient trucking capacity is available and route security is assured. In this context, new commercial contracts for road movements have been put in place and the Government agreed to provide security escorts for UNAMID road convoys as frequently as every 48 hours, with the expectation that convoys would take place every 24 hours in due course. In addition, with the end of the rainy season, both the northern and southern routes from El Obeid to Nyala will be utilized, which will result in an increase in the volume of movement.

14. To further improve the main supply routes between Port Sudan to Darfur, UNAMID has put in place additional commercial contracts for road, rail, and air transportation of contingent-owned and United Nations-owned equipment directly into Darfur. Both the Department of Field Support and the Department of Peacekeeping Operations are also working with the Friends of UNAMID to make arrangements for the airlift of troops and contingent-owned equipment directly from troop-contributing countries into Darfur — as will be the case for the Rwandan troops. In addition, selected troop and police contributors have been requested to undertake either self-deployment of all contingent-owned equipment and personnel

if they are in the region, or the direct airlift of such equipment from the port of origin to Darfur.

15. Expediting the direct airlift of contingent-owned equipment from troop- and police-contributing countries to Darfur would require that the Government provide blanket clearance for flights arriving in the Sudan, to avoid the prohibitively time-consuming requirement to clear the cargo of each flight individually. This is particularly important, since most major airlift operations involve a large number of aircraft. In a welcome development, the Government of the Sudan agreed, in a 26 September letter, to provide blanket clearance for airlift operations, in response to a request from the Department of Field Support. The blanket clearance arrangement will first be applied to airlift the contingent-owned equipment for the Pakistani Level III Hospital, which will be flown into Darfur in two phases in time for the hospital to be operational before the end of the year.

16. Nevertheless, clearing the backlog at El Obeid will likely take up to six months. Rail transportation of UNAMID assets, while providing an alternative, is limited in capacity: the railroad has a single track from El Obeid to Nyala, and it takes four weeks to move 50-60 containers from Port Sudan to Nyala. It is also necessary to augment the reception capacity of airports in Darfur, including the expansion of apron space and deployment of material handling equipment, to be able to support a sustained increase in the airlifting of contingent-owned equipment.

17. In addition to movement of contingent-owned and other equipment, improving the UNAMID engineering capability remains the second major condition for accelerating deployment. To that end, plans were put in place to accelerate the deployment of UNAMID engineering units (from China, Egypt and Pakistan), the transfer of some military engineering capacity from the United Nations Mission in the Sudan (UNMIS) and finally to include a light field engineering capability as part of the deployment of all new battalions. As described below, after a period of planning and approvals from the troop-contributing countries, these initiatives are only now being put in place.

18. Among the three UNAMID engineering units, the Chinese engineers are fully deployed and operational. The Egyptian engineering unit is deployed, though not yet operational, since it is focusing on repair of damaged contingent-owned equipment. With regard to the engineering unit from Pakistan, an advance team of six is in place in El Geneina, preparing for the arrival of contingent-owned equipment and personnel, which will be completed by the end of the year. Meanwhile, the temporary transfer to UNAMID of 90 soldiers from the Chinese engineering unit in UNMIS is due to commence as soon as formal arrangements are finalized. Finally, the deployment of light field engineering capabilities as elements within arriving battalions is likely to begin in early 2009, taking into account the time required to finalize preparations for the deployment of these units. Efforts continue to deploy all of these engineering capabilities as a high priority.

19. With respect to commercial engineering resources, UNAMID has identified a number of arrangements to augment its capacity for camp construction, maintenance, expansion, and other critical engineering tasks. The mission will place greater emphasis on local and regional vendors. In that context, UNAMID has carried out a vendor conference in Nyala to encourage the participation of local firms in UNAMID tenders. UNAMID has also initiated internal capacity-building, especially in the areas of contract management. In addition, the mission, in close

collaboration with the Department of Field Support, is finalizing a memorandum of understanding with the United Nations Office for Project Services and putting in place a contract for project management of engineering works, which is to be concluded in the coming months. These efforts do not preclude the possibility of having to mobilize additional external resources, given the scope of engineering requirements anticipated for UNAMID deployment and operations.

20. As for units expected to deploy in 2009, the Sudanese authorities confirmed, in writing, their acceptance of the Thai battalion and the Nepalese units in the progress report submitted by the Government of National Unity to the African Union Commission on 17 September, which I transmitted to the Security Council on 18 September. Anticipating that these troop-contributing countries will agree to take the deployment forward, we will work with them to have these units deployed as soon as possible and most likely in early 2009.

21. Efforts are also continuing to confirm the readiness of agreed police-contributing countries to deploy formed police units. To that end, representatives from the Department of Peacekeeping Operations, the African Union and donor countries visited Burkina Faso, Mali, Uganda, and Togo at the end of July. A similar predeployment mission also visited Senegal. Some of these police-contributing countries will be in a position to deploy formed police units in early 2009, while others are in the process of procuring requisite equipment.

IV. Tripartite mechanism for the deployment of UNAMID

22. As part of United Nations efforts to expedite the deployment of UNAMID, Susana Malcorra, Under-Secretary-General for Field Support, travelled to Khartoum for a tripartite meeting on 7 October, at which the Government, the African Union Commission and the United Nations discussed the logistical challenges facing UNAMID deployment and the steps being taken by each of the three parties to ensure expeditious deployment and effective functioning of the mission. A number of critical issues were discussed in detail and courses of action for all three parties agreed, as described below.

Freedom of movement

23. **White helicopters.** To ensure that UNAMID helicopters, as well as those being used for international humanitarian activities in Darfur, are clearly distinguishable, the Government has instructed the armed forces and the civil aviation authorities to ensure that Government helicopters are no longer painted white and are distinct from those used by international actors.

24. **Helicopter crash investigation of 29 September in Nyala (see para. 46).** It was agreed that UNAMID and the International Civil Aviation Authority would contribute to the review of the 29 September crash of the helicopter operated by a UNAMID contractor.

25. **Threat notification.** The Government will continue to share information with UNAMID relating to security threats — without prejudice to UNAMID operations.

Air operations

26. **Rehabilitation of airports.** The Government gave its unequivocal approval for the rehabilitation of El Fasher and Nyala airports and the new airport in El Geneina which would be upgraded so as to accommodate AN-124-type aircrafts. The United Nations committed to taking forward these efforts as expeditiously as possible.

27. **Times of use of Darfur airports.** The Government confirmed its approval for use of Darfur airports by UNAMID from 0700 hours to 1900 hours and confirmed that instructions to this effect had been circulated to Civil Aviation and National Security authorities as well as the Walis in Darfur.

28. **Around-the-clock operations.** It was further agreed that 24/7 operations would be gradually implemented and that UNAMID would contribute the necessary equipment and support.

Flight clearances

29. **Blanket clearance.** The Government agreed that blanket clearance would be granted for flights carrying contingent-owned equipment and other UNAMID materials into Darfur. One "Form 1" would be completed for each phase of such an airlift operation. Equipment would then be subtracted from the single "Form 1" as it arrived in the Sudan until the airlift is completed.

Convoy protection and support

30. **Government escort (from El Obeid to Darfur).** The Government confirmed its commitment to escort any UNAMID convoys as frequently as every 48 hours. It was further agreed that the frequency of convoys would be increased to one every 24 hours so long as convoys were comprised of 30 vehicles or more. It was further agreed that the frequency of convoys would be increased to one every 24 hours in due course.

Railway

31. **United Nations support.** The United Nations agreed to support the efforts of the Government of the Sudan to rehabilitate portions of the railway to the extent possible.

Visa processing

32. **Government facilitation of visas.** The Government reiterated its commitment to continue expediting the processing of visas for UNAMID personnel and stated that a Government focal point would be appointed in this regard.

Customs clearance

33. **Single clearance at point of entry.** The Government agreed that UNAMID equipment, goods and materials would undergo Customs clearance at one time only, which would be at their point of entry and would be undertaken simultaneously by Customs, National Intelligence and National Security officials.

Government liaison

34. **El Fasher Office.** The Government confirmed the establishment of a liaison office in El Fasher to be led by a Major General. The Office would ensure local implementation of decisions taken at a national level. Liaison at the sector level is anticipated.

Military deployments

35. **Self-deployment of selected units.** The United Nations, the African Union and the Government agreed to support the possible self-deployment of the second battalions from Egypt and Ethiopia.

Local construction capacity

36. **Utilizing local and regional capacities.** The United Nations undertook to use local and regional contractors and vendors to the fullest extent possible. It was noted, however, that requirements were so vast that resources from outside the region may need to be mobilized.

37. In concluding the meeting, the Government, African Union and United Nations delegations agreed on the importance of convening tripartite meetings on a regular basis in order to monitor the implementation of all agreed actions and to maintain momentum with regard to the deployment of UNAMID. Particular emphasis was given to the rapid implementation at all levels of the decisions taken.

38. In this regard, it was agreed that the next tripartite meeting on UNAMID would take place within four to six weeks in Khartoum and that the agenda would be developed in advance by UNAMID.

V. UNAMID operations

39. Darfur has been designated a Phase IV security area since 23 July 2008, as a result of a serious deterioration in the security situation over the last four months. That violence had included high levels of banditry, occasional military engagements, ethnic clashes and deadly attacks on UNAMID forces on 8 July, which resulted in the deaths of five peacekeepers, and on 6 October in Southern Darfur, in which one peacekeeper was killed. In accordance with the Phase IV provision to relocate non-essential staff, 141 civilian staff and 174 individual police officers had to be relocated out of Darfur, and the deployment of 400 individual police offers was postponed. While the relocated staff subsequently returned to Darfur, the ceiling on the number of staff allowed in the mission area remains in effect.

40. Nevertheless, UNAMID conducted 1,044 confidence-building patrols, 218 escort patrols, and 30 investigation patrols during the reporting period, with a particular emphasis on facilitating humanitarian access and providing convoy protection. UNAMID police advisers also conducted monitoring, confidence-building and firewood patrols, visiting community policing centres and Government police stations throughout Darfur. After the 25 August shooting in Kalma camp for internally displaced persons, UNAMID police established a 24/7 presence there, composed of two shifts per day, each with 30 members of the Bangladeshi formed police unit and 30 individual police officers. UNAMID also intensified patrols

around Zam Zam camp for internally displaced persons after the Government-affiliated Central Police Reserve looted and burned a market near the camp on 10 September, seriously injuring seven people.

41. During the reporting period, UNAMID, in collaboration with a number of United Nations funds and programmes, conducted a series of training and capacity-building workshops for 119 members of rebel police forces, 90 sheikhs and *umdas* (tribal elders) and 295 internally displaced persons on the subjects of human rights, gender, and community-policing. Those who have received training participate in UNAMID police patrols within their own communities or camps. Women in camps for internally displaced persons also received training by gender advisers within the UNAMID police component in regard to income-generation activities, gender-based violence, and health.

42. UNAMID continued to monitor human rights violations, engage local authorities and other stakeholders, and provide technical assistance. On 30 August, UNAMID organized a workshop in cooperation with the Advisory Council for Human Rights and the Judicial Organ of Southern Darfur on fair trial standards for judges and lawyers.

43. UNAMID Civil Affairs continued to engage civil society and women's groups, the local administration, the academic community, and other segments of the Darfur society on the peace process and local conflict resolution initiatives. UNAMID convened workshops and training to build the capacity of the Darfur civil society groups to play an active role in grass-roots peacebuilding, development, and the rule of law. In addition, 32 quick-impact projects have been approved, 6 of which are being implemented.

44. Throughout the reporting period, the mission's freedom of movement was undermined repeatedly by restrictions imposed by the Government and the movements. On 11 August, a UNAMID military officer was briefly detained by the Military Intelligence for not stopping at a Government of the Sudan checkpoint near the UNAMID headquarters in El Fasher. On 16 August, the Sudanese Armed Forces (SAF) detained several United Nations staff members and crew members of the United Nations Humanitarian Air Service for several hours after they landed in Abu Suruj (50 km north of El Geneina), allegedly ahead of schedule. SAF has threatened to shoot down United Nations aircraft that do not comply with flight timetables and suspended United Nations air operations around Abu Suruj until further notice, citing the presence of SAF checkpoints in the area. In Southern Darfur, the National Intelligence and Security Services interrupted UNAMID night patrols, claiming that such patrols were neither required nor acceptable in Nyala. The Government authorities subsequently agreed to allow UNAMID patrols as long as they were notified in advance.

45. On 19 August, a UNAMID patrol to Mado village (60 km north-west of Kutum) was denied access by the Sudan Liberation Army (SLA)-Minni Minawi faction, which demanded that UNAMID seek the group's permission before approaching the village and contacting civilians in the area. On 25 August, a UNAMID rescue convoy to Kalma camp for internally displaced persons was stopped at a Government of the Sudan checkpoint for four hours, while the Government of the Sudan officers demanded an authorization letter from the National Intelligence and Security Services for UNAMID to proceed to the camp. On 31 August, a UNAMID patrol en route from Kabkabiya to El Fasher was halted

by members of the SLA-Abdul Wahid faction, who demanded to be notified of UNAMID movements in areas of their control. On 2 September, a UNAMID patrol escorting a fuel tank from Kabkabiya to El Fasher was delayed at two different locations by the SLA-Abdul Wahid faction and an Arab militia group. In a separate incident on 23 September, an *umdah* of Abu Shouk camp for internally displaced persons stopped UNAMID from patrolling in the area, demanding a more proactive approach from the mission to resolve insecurity and the deteriorating conditions in the camp.

46. UNAMID air operations came under fire four times during the reporting period. On 11 August, a UNAMID helicopter with one passenger and four crewmembers was shot at while flying from El Geneina to Kulbus and sustained minor damage. On the same day, a UNAMID helicopter came under fire 3 km south of Jebel Moon while on an assessment mission to alleged bombing sites. The Justice and Equality Movement (JEM) apologized for the second incident, acknowledging to have mistakenly identified the white helicopter as a Government aircraft. On 14 September, a UNAMID helicopter carrying 12 passengers and 4 crewmembers was fired upon by unknown perpetrators while on flight from Shangil Tobayi to Tawilla, resulting in a fuel leak. On 17 September, a UNAMID helicopter on an assessment mission to Birmaza was shot at but able to fly back to El Fasher with no damage; no one has claimed responsibility for the incident, which is under investigation. In another tragic incident, a helicopter operated by a UNAMID contractor crashed near Nyala on 29 September, resulting in the death of all four individuals on board.

47. During the reporting period, banditry also continued to disrupt UNAMID operations. On 12 August, several UNAMID police advisers were robbed of their mobile telephones and radio at gunpoint in Dorti camp for internally displaced persons. On 31 August, another UNAMID patrol from Khor Abeche to Nyala was attacked by armed bandits; the patrol returned fire and was able to avert the ambush. On three separate occasions, on 9, 11, and 13 September, UNAMID vehicles were carjacked by armed individuals in Nyala. Banditry also continues to impede the operations of the United Nations country team and humanitarian community.

VI. Political process

48. The newly appointed African Union-United Nations Joint Chief Mediator for Darfur, Mr. Djibrill Bassolé, arrived in the Sudan on 25 August. Mr. Bassolé made initial contacts with senior Government of the Sudan representatives in Khartoum and Juba, as well as state Government officials in the three Darfur states. The Government of the Sudan pledged to cooperate with the Joint Chief Mediator and expressed its determination to seek a speedy political solution to the crisis in Darfur. Mr. Bassolé also met with representatives of rebel movements, internally displaced persons, tribal leaders, and non-governmental organizations in El Fasher, Nyala and El Geneina.

49. In these consultations, Mr. Bassolé highlighted the need for a Sudanese-driven solution and urged the parties to lay down their arms and engage sincerely in dialogue. Mr. Bassolé urged the Government to take forward the multi-party Sudan People's Initiative announced in July, and expressed his hope that the Initiative would provide a concrete basis for dialogue with the rebel movements. Mr. Bassolé

also discussed with the Government of the Sudan the possibility of a number of immediate actions to improve conditions on the ground and kick-start the political process. Those issues were described in a letter, which Mr. Bassolé sent to the Government on 16 September 2008.

50. Mr. Bassolé also met with the leaders of a number of rebel groups in order to take stock of their positions and demands, and discussed with them concrete measures to improve security on the ground and resume peace talks with the Government of the Sudan. Movement representatives as well as internally displaced persons and tribal leaders reiterated their demands for power-sharing and security. They stressed their concern over the issue of land, in addition to the issues of a Darfur region, Darfur's representation in the Presidency of the Sudan, rehabilitation of villages, voluntary return of internally displaced persons, justice and accountability, and compensation/restitution.

51. While the most urgent priority is security and achieving a complete ceasefire, it is clear that this cannot be accomplished in the absence of a political process and a framework agreement. The framework agreement would confirm the principles that should guide the search for a political solution, and foreshadow the main demands of the parties, including the complete cessation of hostilities. In the weeks ahead, and in anticipation of the resumption of direct negotiations between the parties to be hosted in Doha by the Government of Qatar, the mediation will engage the Government and the movements with a view to reaching agreement on such a framework.

52. There were other welcome signs of dialogue and reconciliation during the reporting period. On 12 September 2008, the Contact Group for the Dakar Agreement met in Asmara, in the course of which the resumption of diplomatic relations between the Sudan and Chad was announced. The parties further agreed to exchange Ambassadors before the sixth meeting of the Contact Group to be held in N'Djamena.

53. On 19 September, Vice-President Osman Taha and Minni Minawi, one of the Darfur Peace Agreement signatories, met in El Fasher. UNAMID facilitated the meeting. They agreed upon a cessation of hostilities and reaffirmed their commitment to the Darfur Peace Agreement.

VII. Security and humanitarian situation

54. The security and humanitarian situation remained precarious during the reporting period, especially in Northern Darfur and in camps for internally displaced persons. On 12 August, the SLA-Abdul Wahid faction reported a Government offensive in the Wadi Atrun area of Northern Kordofan, near the border with the Libyan Arab Jamahiriya, allegedly resulting in seven deaths. The Government, while acknowledging the deployment of its forces to the area, asserted that no fighting had occurred. On 16 August 2008, the SLA-Abdul Wahid faction again reported a Government attack on rebel bases in Abu Hamra and Kafod east of Kutum, allegedly resulting in the death of two combatants.

55. On 25 August, heavily armed Government security forces surrounded Kalma camp, one of the largest camps for internally displaced persons accommodating approximately 80,000 people south of Nyala, with approximately 60 vehicles. The

Government launched this operation to initiate a search of the camp for weapons and other contraband. Confronted by a crowd of internally displaced persons, the Government of the Sudan security forces opened fire. In the ensuing skirmish between the security forces and some internally displaced persons, which continued for several hours, 33 internally displaced persons were killed and 108 were injured, including 38 children and 25 women. UNAMID deployed a team composed of military, police, and medical personnel, which after a considerable delay at one of the Government checkpoints, arrived in the camp and evacuated the wounded to a medical facility in Nyala. The Government reported that one military personnel was killed and 14 were injured among its security forces.

56. Following the incident, 18 Sudan People's Liberation Movement (SPLM) officials in the Government of National Unity and four local legislators, including members of the Southern Darfur Council, resigned from their posts in protest. UNAMID took up the incident with Government agencies, including the National Intelligence and Security Services, the Ministries of Defence, Interior, and Foreign Affairs, as well as the Humanitarian Aid Commission, and on 10 September, the Government announced the establishment of a ministerial-level Security Task Force on Darfur to improve the humanitarian and security situation in camps for internally displaced persons. The Government requested the participation of UNAMID and of the United Nations Resident/Humanitarian Coordinator in the task force.

57. In the meantime, the Government initiated a new military campaign in Northern Darfur. On 6 and 7 September, the Government launched air strikes followed by ground operations north of Kutum and east of Jebel Marra, respectively, involving Mi-26 attack helicopters and 50 to 100 vehicles. The Government reported that these operations were an effort to secure the main convoy routes for humanitarian access. Nevertheless, Government forces engaged SLA-Unity, SLA-Abdul Wahid, and the United Resistance Front (JEM Collective) groups in combat, which reportedly resulted in a significant number of casualties on both sides. On 13 and 14 September, combined SAF, militia, and the Central Reserve Police forces of up to 150 vehicles launched another major offensive into eastern Jebel Marra. During September, the Government also bombed a number of suspected rebel strongholds, including at Karbala, Jebel Adoula, and the Umo and Jebel Moon areas, reportedly resulting in 12 deaths, including five women and two children.

58. North of El Fasher, clashes between the SLA-Minni Minawi and the SLA-Free Wing factions, both signatories of the Darfur Peace Agreement, continued. Tribal conflict also dominated the security situation in Southern Darfur, with up to 150 casualties reported already in the past two months as a result of fighting between the Rezeigat and Messerayah tribes in the area of Abu Jabra.

59. During the reporting period, UNAMID documented 16 incidents of rape and other forms of sexual assault, against women and children from camps for internally displaced persons. In five of the reported cases, perpetrators were described as individuals in military uniform. The local government in Northern Darfur established a new family and child protection unit through which women, children, and families affected by gender-based violence could report crimes such as rape and domestic violence.

60. Military operations and banditry have undermined the delivery of humanitarian assistance. Since January 2008, more than 230,000 civilians have been forced to flee violence, at a rate of nearly 1,000 per day. Many of them have fled to

overcrowded camps near large towns or in some cases sought shelter in the desert until clashes subsided. As attacks on humanitarian agencies also continued to climb, incidents of violence against aid workers in the first eight months of 2008 have already surpassed the total records in 2007. So far this year, 208 humanitarian vehicles have been hijacked, 155 aid workers abducted (43 WFP-contracted drivers remain unaccounted for), and 123 premises broken into. Because of this targeted violence, two major non-governmental organizations assisting more than 500,000 civilians in Northern Darfur alone were forced to suspend their activities during the reporting period.

61. Darfur has also been affected by the global food crisis, with the Food and Agriculture Organization of the United Nations reporting that the price of staple food items has increased by up to 150 per cent against the same period last year. With crop failures in many important agricultural areas of the region, the reliance upon relief assistance in 2008 is perhaps at its greatest, at a time when humanitarian access is critically limited. Owing to the volatility of the security situation on the ground, humanitarian organizations had to reduce staff presence and mobility throughout Darfur, which resulted in a significant reduction in their ability to deliver humanitarian aid and implement other critical functions, including development-oriented activities.

VIII. Compliance with international obligations

62. Some progress has been made on the follow-up to the joint communiqué of 20 June 2008 on the facilitation of humanitarian activities in Darfur. In July, a Tripartite Joint Technical Committee held training workshops on the General Directory of Procedures for representatives of the Government and non-governmental organizations in Nyala and El Fasher. The high-level committee established by the joint communiqué met on 20 August 2008 and reaffirmed the imperative to continue to deliver services in accordance with humanitarian principles.

63. Despite such an assurance from the Government to facilitate humanitarian access, the Sudanese authorities at the local level continued to impose bureaucratic constraints on humanitarian organizations. In Southern Darfur, the Humanitarian Aid Commission reduced fuel supply for operating water pumps in Kalma camp after an allegation was made that fuel had been used by armed groups. Consequently, approximately 100,000 internally displaced persons suffered from water shortages. On 27 August, the National Intelligence and Security Services detained and beat two pilots operating WFP helicopters, while holding the passengers on the aircraft at gunpoint in Golo, Northern Darfur.

64. Additional procedures have been put in place for transportation of medical supplies into Darfur. Humanitarian organizations are now required to seek authorization when travelling on rented vehicles, which has become an increasingly common practice to avert carjacking. In another development, Government customs authorities have not provided clearance for 5,000 metric tons of sugar held at Port the Sudan for four months. While WFP was able in August to increase the caloric content of the food basket to 75 per cent of the normal value, it has warned of the possible suspension of food delivery in some areas of Darfur, should security conditions not improve.

65. On 6 August, the Sudanese Minister of Justice announced the appointment of a Special Prosecutor for Darfur, with a mandate to investigate crimes committed in Darfur since 2003. The Special Prosecutor has announced his intent to investigate alleged crimes committed in Wadi Saleh, Western Darfur, in 2003, in addition to completing the work of the National Commission of Inquiry. That Commission was established by a Presidential Decree in May 2004 to investigate human rights violations committed by armed groups in Darfur in 2004.

66. In the meantime, arbitrary arrest and detention of persons accused of involvement in the rebel movements, and in some cases their relatives, continued during the reporting period. The practice of torture and ill-treatment against detainees in the National Intelligence and Security Services custody has been reported.

IX. Observations

67. More than a year after the Security Council authorized the deployment of UNAMID under resolution 1769 (2007), conditions required for an effective peacekeeping operation remain absent in Darfur. The Government and the parties continue to pursue a military solution to the conflict, while little progress has been made in the implementation of the Darfur Peace Agreement. As violence prevails, the protection of civilians remains a grave concern.

68. Seeking a solution to the crisis in Darfur, as a matter of utmost urgency, continues to be one of the top priorities of the United Nations. In the meantime, the Under-Secretary-General for Peacekeeping Operations, Alain Le Roy, travelled to Darfur from 8 to 11 October as part of an extensive visit to the Sudan.

69. During his visit to each of the three Darfur states, and throughout his discussions with senior Government officials in Khartoum, Under-Secretary-General Le Roy reiterated the United Nations commitment to deploying UNAMID military and police components as expeditiously as possible. This would allow the mission to continue to increase its impact, particularly with regard to the protection of civilians and facilitation of humanitarian assistance. The visit also provided an opportunity to confirm that a lasting solution to the crisis could only come through a political settlement and that the arrival of Joint Chief Mediator Bassolé provides an opportunity to revitalize the political process.

70. Since his arrival in the Sudan on 25 August, Mr. Bassolé has held productive consultations with local, national, and regional interlocutors. As he works with the parties to bring them towards direct negotiations, I welcome initiatives to support his work, including Qatar's offer to host peace talks. It is critical for the international community to be united in supporting his efforts.

71. Dialogue also requires security on the ground. To that end, as the sovereign power, the Government of the Sudan has the responsibility to put an end to aerial bombardments and military offensives, which could harm civilians, and to take concrete steps towards the disarmament of militia and other Government-affiliated forces. I welcome the assurances given by the Government to Under-Secretary-General Le Roy that it would not initiate further military action, without prejudice to its right to respond to aggression.

72. In addition, I call on the Government to comply with its obligations under international human rights and humanitarian law, in particular with regard to the protection of civilians. In that regard, the 25 August incident at Kalma camp was deeply regrettable.

73. I also call on all rebel groups to commit to an immediate cessation of hostilities, begin serious negotiations with the Government, and fully cooperate with UNAMID, removing any obstacles to its operations. I count on countries in the region and with influence on the Government and the movements to do their utmost to facilitate a ceasefire and the resumption of talks.

74. UNAMID, despite its broad mandate for the protection of civilians and assistance to peace implementation, is not designed to create a sustainable solution to the Darfur crisis. That is the responsibility of the parties to the conflict. As I have said many times, the effectiveness of a peacekeeping operation is largely contingent upon the commitment of the parties to the peace process, without which peacekeepers can be vulnerable themselves.

75. In Darfur, UNAMID has increasingly become the target of banditry and armed attacks. UNAMID thus faces divergent requirements, that is, to deploy rapidly, enabling it to increase its ability to protect civilians and facilitate provision of humanitarian assistance, while also taking all measures to reduce risk to its own personnel. Reinforcements are slowly arriving, but the security situation and difficult environment in Darfur have delayed the arrival of equipment for incoming contingents. While there are no quick solutions to these deployment challenges, the United Nations continues to make every effort to speed up the establishment of UNAMID.

76. Meanwhile, the volatility of the security situation on the ground and the difficulty in bringing equipment and basic supplies into Darfur have exposed UNAMID military and police personnel to increased risks. They often undertake patrols and provide force protection escorts without adequate communication and transportation assets. UNAMID civilian personnel also work and live in an extremely unsafe environment. A security assessment team from United Nations Headquarters visited Darfur and Khartoum from 30 September to 10 October and is currently finalizing recommendations for urgent action to be taken in order to improve the safety and security conditions for the mission personnel.

77. The effectiveness of UNAMID hinges on the Government's cooperation to ensure its freedom of movement in compliance with the Status-of-Forces Agreement; provide customs clearance, visas, security, and convoy protection; and facilitate UNAMID deployment and resupply by air, rail, and road. I welcome the agreement reached in these areas on 7 October in Khartoum by the Tripartite Committee on UNAMID. I count on the Government of the Sudan to ensure its implementation at all levels of Government, both local and national, including the agreement it subsequently reached with Under-Secretary-General Le Roy to complete implementation of the agreement on white helicopters within two weeks of the agreement.

78. The capacity of UNAMID to carry out its mandate is also dependent on the resources that Member States provide. I once again call on those who are in a position to provide missing units, namely a multi-role logistics unit, a medium transport unit, a heavy transport unit, an aerial reconnaissance unit, 6 light tactical

helicopters, and 18 medium-utility helicopters, to do so immediately. These are critical assets to ensure the mobility of UNAMID personnel, who are mandated to protect the people of Darfur, and who are increasingly under threat themselves. It is the responsibility of Member States to equip the mission and empower it to perform the task entrusted to it by the Security Council.

79. It is unclear what impact the 14 July application by the Prosecutor of the International Criminal Court for an arrest warrant against President Omar Al-Bashir will have on peace and security in Darfur and in the Sudan. The International Criminal Court is an independent judicial institution, and the activities of the Prosecutor and the Court are distinct from the ongoing humanitarian, peacekeeping, and mediation efforts in Darfur and South Sudan. I reiterate my call to the international community to reach agreement on the importance of both peace and justice for the sustainable resolution of the crisis in Darfur — and to be united in its support for the parties to reach a political solution.

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17 October 2008

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Letter dated 17 October 2008 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council

With reference to my letter dated 15 October 2008 (S/2008/653) concerning the armed incident between Thai and Cambodian troops within Cambodia's territory, I have the honour to transmit herewith a statement by the Spokesman of the Ministry of Foreign Affairs and International Cooperation of the Kingdom of Cambodia (see annex) on the unilateral demining activity by Thai soldiers in Cambodia's territory, which flagrantly contravenes international law and agreements between the two countries.

I should be grateful if you could circulate the present letter and its annex as a document of the Security Council.

(*Signed*) **Sea** Kosal
Ambassador
Permanent Representative of the Kingdom of Cambodia
to the United Nations

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Annex to the letter dated 17 October 2008 from the Permanent Representative of Cambodia to the United Nations addressed to the President of the Security Council

Statement by the Spokesman of the Ministry of Foreign Affairs and International Cooperation

In reference to the statement of the spokesman of the Ministry of Foreign Affairs of Thailand contained in the press release No. 506/2008 dated 14 October, which refers to Thailand's obligations to undertake the so-called "demining efforts in the area adjacent to the Temple of Preah Vihear" and the "investigations to verify whether the landmines in the area are old mines or recently deployed ...", in Cambodia's territory.

1. The unilateral demining activity by Thai soldiers in Cambodia's territory flagrantly contravenes the agreement made by both sides as stipulated in the following documents:

- The agreed minutes of the fourth meeting of the Cambodian-Thai Joint Commission for Bilateral Cooperation (JC) in 2002, point 72, which states that "both sides agreed to encourage close cooperation between the Cambodian Mines Action and Victim Assistance Authority (CMAA) and the Thai Mines Action Centre (TMAC) in order to set out coordination plan for demining operations in the border areas ...".
- The agreed minutes of the fifth meeting of the Cambodian-Thai Joint Commission for Bilateral Cooperation (JC) in 2006, point 71, which states that "... the two sides are prepared to set up a technical working group to discuss this matter as well as to determine priority areas for demining operations ...".
- The above principles were confirmed in the working papers made during the Cambodian-Thai Foreign Minister's meetings on 28 July 2008 in Cambodia and on 19 August 2008 in Thailand, which read "demining in a concerted manner the area to be surveyed and demarcated by JBC in accordance with the memorandum of understanding of 2000" and "determination to be made by JBC of the area to be cleared for the survey and demarcation work ...".

2. Moreover, for this Thai alleged reason of unilaterally "demining the areas which are to be surveyed and demarcated by the Cambodian-Thai Joint Commission on Demarcation for Land Boundary (JBC)", Thai forces were in effect occupying areas which are clearly situated within Cambodia's territory as demarcated by the relevant maps repeatedly endorsed by the two countries and recognized by the International Court of Justice as the basis for its judgment concerning the Temple of Preah Vihear in 1962.

3. Cambodia strongly reaffirms the fact that landmines in this border area are remnants of almost three decades of war. Even though mine explosion incidents are decreasing, Cambodian population living in the area still continue to suffer from mine accidents until today. It is quite apparent that Thai soldiers must have stepped on one of those mines after having trespassed into this mine-infested area near the border.

4. As one of the most severely affected victims of landmines, Cambodia was the first country to adopt, on 28 April 1999, national legislation to ban the use of anti-personnel landmines. On the other hand, Cambodia was actively engaged in the formulation and strict implementation of the Anti-personnel Mine Ban Convention, signed in Ottawa on 3 December 1997.

5. It should be noted that, nowadays, Cambodia has no stock of mines. Even before the national legislation to ban landmines was passed, Cambodia had already begun its efforts to destroy landmines in 1992. Since then it has destroyed around 800,000 anti-personnel landmines. Cambodia has also offered to share its experience and expertise in demining victims of mines, such as the Sudan.

Phnom Penh, 16 October 2008

United Nations S/2008/661

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Letter dated 17 October 2008 from the Permanent Representative of Thailand to the United Nations addressed to the President of the Security Council

With reference to the letter from the Permanent Representative of Cambodia addressed to the President of the Security Council dated 17 October 2008 (S/2008/660), I have the honour to inform you as follows:

1. Thailand attaches great importance to the principle of humanitarianism, which has long been at the core of Thailand's foreign policy. For this reason, Thailand became a State party to the Convention on the Prohibition on the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction of 1997 (Ottawa Mine Ban Convention). Thailand is fully committed to the obligations under the Convention and has been playing an active role from its inception, for example, by hosting the Fifth Meeting of State Parties to the Ottawa Mine Ban Convention in 2003. As of today, Thailand has successfully destroyed the country's stockpile of anti-personnel mines in accordance with the provisions of the Convention. Great emphasis has been placed on demining operations in the area along the border between Thailand and Cambodia which landmines are heavily buried. Thailand has also been active in the areas of victim assistance and sharing of experiences with various partners in many regions.

2. No party should question Thailand's commitment to eradicate this inhumane weapon. Nor should any party question the urgent need and importance of demining operations and saving human lives. It is within this context that Thailand found the letter from the Permanent Representative of Cambodia referred to above most regrettable.

3. All demining operations conducted by Thailand, in partnership with non-governmental organizations (NGOs), are within the territory of Thailand. The urgency of demining in the area adjacent to the Temple of Phra Viharn came after two Thai rangers, who were on routine patrol inside Thailand's territory on 6 October 2008, stepped on landmines and lost their legs. Thailand was alarmed by the incident because Thai rangers have been using this patrol route for a long time without any incident since this route was known to have been cleared of landmines. Thai villagers have also been using this route for a long time. Thailand was also further alarmed to learn that a team consisting of Thai Mine Action Centre and NGOs, which inspected the area after the incident, found a number of newly planted anti-personnel mines in a nearby area. In physical appearance these landmines were in almost perfect condition. No rust was found on the metal parts of the mines and

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their detonators were still intact. The ground under which the landmines were buried appeared to be recently excavated. Also, according to the inspection by demining experts, the blast force of the two mines that maimed the two Thai rangers on 6 October 2008 was more powerful than the usual force of old mines left over from three decades of war along the Thailand-Cambodia border.

4. It is important to point out that these landmines were PMN2-type — a type known to be in the possession of Cambodian authorities. According to Cambodia's 2005 transparency report to the Secretary-General of the United Nations under article 7 of the Ottawa Mine Ban Convention, Cambodia reported that in 2002, out of a total of 3,405 PMN2-type landmines, only 240 had been transferred from the Ministry of Interior of Cambodia to the Cambodian Mine Action Centre for development and training.

5. Thailand regards the above development with grave concern as it constituted a serious violation of article 1 (a) and (b) of the Ottawa Mine Ban Convention by a State which is also a State party to the Convention. Thailand found the development even more regrettable that, in this day and age, anti-personnel landmines, which should be assigned to history, are still used.

6. Despite this type of incident, Thailand has chosen the path of dialogue, transparency and goodwill in solving the problem with Cambodia. On 17 October 2008, Thailand officially requested clarification from Cambodia concerning the aforementioned development. Thailand is still waiting for a response from Cambodia.

7. In this connection, Thailand finds it most regrettable that Cambodia, instead of returning the goodwill and choosing the path of dialogue, has chosen to divert attention away from the issue concerned by bringing this matter to the attention of the Security Council and misleading the international community without the courtesy of responding to Thailand's request for clarification. This kind of action naturally raises question about Cambodia's sincerity and intention.

8. Thailand stands ready, as it always has been, to consult and cooperate with Cambodia to resolve any differences peacefully through existing bilateral consultations. Thailand and Cambodia are, after all, neighbours for life and family members of the Association of Southeast Asian Nations.

I have the honour to request that the present letter be circulated as a document of the Security Council.

(*Signed*) Don **Pramudwinai**
Ambassador
Permanent Representative
of the Kingdom of Thailand to the United Nations

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Report of the Secretary-General on the Sudan

I. Introduction

1. The present report is submitted pursuant to paragraph 11 of Security Council resolution 1590 (2005), in which the Council requested that it be kept regularly informed of progress in the implementation of the Comprehensive Peace Agreement in the Sudan. The report provides an assessment of the overall situation in the country since my previous report, dated 23 July 2008 (S/2008/485), as well as an update on the activities of the United Nations Mission in the Sudan (UNMIS) until 4 October 2008. As requested by the Council, it devotes particular attention to the implementation of the Abyei Road Map Agreement of 8 June (paras. 9-14).

II. Security situation

2. The security situation in the UNMIS area of operations improved during the reporting period. In Abyei the situation stabilized as implementation of the Abyei Road Map Agreement continued. UNMIS freedom of movement was restored in several locations, although the Mission continued to suffer restrictions, particularly in the north of Sector VI. At the national level, the possible indictment of President Omar al-Bashir by the International Criminal Court was a focus for debate, but it had no immediate impact on the security situation in the UNMIS area of operation.

3. In Southern Kordofan, the reporting period saw a decline in reports of inter-ethnic violence. The July nomad migration season ended peacefully, and the parties' agreement to open closed areas in the Nuba Mountains gave further grounds for optimism. However, the build-up of Sudan Armed Forces (SAF) and Sudan People's Liberation Army (SPLA) forces in the North-South border area remained a cause for concern.

4. The civilian disarmament programme launched by the Government of Southern Sudan generated tensions in some southern States. On 8 September, eight people sustained gunshot wounds during a disarmament exercise carried out by SPLA in Rumbek. SPLA involvement in the exercise was suspended after local civilians and United Nations staff complained of episodes of assault, intimidation and robbery.

5. Renewed clashes with the Lord's Resistance Army (LRA) were reported, ending a period of relative calm. On 18 September, suspected LRA elements

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allegedly attacked an SPLA detachment near Yambio, Western Equatoria. Reportedly, one SPLA soldier and three LRA rebels were killed, villagers abducted and houses looted and burned. Meanwhile, approximately 5,000 Congolese refugees were displaced into the Yambio area, following attacks by alleged LRA elements on the Democratic Republic of the Congo side of the border.

III. Political developments

6. The political scene was dominated by reactions to the request of the Prosecutor of the International Criminal Court for an arrest warrant against President Omar al-Bashir. Attention was focused on the position to be taken by the Government of National Unity and the possible effect of an indictment on the ongoing peace processes in the Sudan. On 16 July, President Al-Bashir tasked a committee chaired by the First Vice-President, Salva Kiir, to develop the Sudan's diplomatic and legal position to the crisis. A Special Prosecutor was appointed by the Ministry of Justice on 3 August to investigate allegations of human rights abuses committed in Darfur since 2003. Also in August, President Al-Bashir launched the "Sudan People's Initiative", which seeks to form a national position on resolving the Darfur crisis by reaching out to all political parties.

7. The Government of National Unity assured the United Nations that it would continue to cooperate with both UNMIS and the African Union — United Nations Hybrid Operation in Darfur (UNAMID). However, senior Government officials issued public warnings of possible serious consequences for UNMIS if the President is indeed indicted. I and my Special Representative received similar warnings directly. We have reiterated to the Government that the United Nations will respect the independence of the judicial process and that UNMIS will remain committed to implementing its mandate in support of the peace process in the Sudan.

8. Discussions on the timing of national elections in the Sudan intensified. The Minister for Presidential Affairs of Southern Sudan, Luka Biong, recently predicted that elections might have to be postponed for six months or more. However, the National Congress Party (NCP) has stated on various occasions that it sees no reason to postpone the elections. During a press conference held on 13 September, the Deputy Chairman of the Sudan People's Liberation Movement (SPLM), Riek Machar, stated that the parties had yet to consult on these issues.

IV. Implementation of the Comprehensive Peace Agreement

Abyei

9. Implementation of the security arrangements under the Abyei Road Map Agreement made good progress. As at 4 October, almost all SAF and SPLA personnel had left the Road Map area as required. The exceptions were, first, a small, unverified group of Sudan Armed Forces, who continue to provide security at Diffra oilfields in the outer ring. Army personnel manning two checkpoints on the roads to the oilfields redeployed on 28 September and were replaced by 10 Government police at each checkpoint. Second, 38 SPLA military police remained at Agok and continued to undertake patrols in the area. UNMIS continues

to press the parties to withdraw these forces in accordance with the Comprehensive Peace Agreement and the Abyei Road Map Agreement.

10. The new Abyei Joint Integrated Unit became operational at the end of August and is gradually assuming control of military positions as Sudan Armed Forces and SPLA depart. All 640 personnel of the Unit completed a training course delivered by an UNMIS military team. UNMIS provided transport to allow deployment of a battalion headquarters at Abyei and one company each at Manyang and Todache. Preparations for the deployment of two further companies to Diffra and Agok are ongoing. Provision of radios, tents and generators has been initiated by UNMIS with donor support.

11. The Joint Integrated Police Unit has deployed and is policing Abyei town. The first batch of 168 personnel of the Unit arrived early in August, comprising 150 regular police (103 from the south and 47 from the north) and 18 officers (2 from the south and 16 from the north). UNMIS provided transport, tents, rations, water tanks and medical supplies, and conducted a comprehensive 10-day basic training course for the Unit's personnel. The second batch, consisting of 33 Government police personnel and 49 Southern Sudan Police Service personnel, has since arrived in Abyei, bringing the overall strength of the Police Unit to 250. The final structure of the Unit and its deployment plan have yet to be finalized. United Nations police have drafted a memorandum of understanding clearly outlining the roles of the Abyei Joint Integrated Unit and Joint Integrated Police Unit in maintaining law and order in Abyei, which has been approved by the commanders of the two units. Further logistical support is urgently needed from the Government and the donor community to support the development of security and the rule of law, especially the judicial system.

12. On 8 August, the Presidency appointed Arop Mayak Mony Tock (SPLM) as Chief Administrator for the Abyei Interim Administration and Rahama Abdelrahman al-Nour (NCP) as his Deputy in accordance with the Abyei Road Map Agreement and with the Comprehensive Peace Agreement provisions. On 6 October, President Al-Bashir appointed the remaining members of the Abyei Executive and Area Councils pursuant to the Road Map. While the latter recognizes the Government's principal responsibility for the long-term development of the area, donors are considering a United Nations-non-governmental organization transitional appeal to support the new administration and assist with early recovery and reconstruction needs.

13. Voluntary returns to Abyei remained slow but steady. As at 1 October, between 12,000 and 16,000 persons, out of some 50,000 displaced, had returned to the area. Of these, approximately 5,000 persons returned to Abyei town and its immediate surroundings, although many return to outlying villages at nightfall. The Abyei market is gradually re-establishing itself. As many internally displaced persons are still concerned about the threat of unexploded ordnance, the United Nations Mine Action Office stepped up mine risk education, and established a temporary base in Abyei to coordinate clearance tasks. Based on the assessments of the Mine Action Office, the threat of unexploded ordnance appears to be lower than expected.

14. As requested by the Ceasefire Political Commission, the UNMIS Force Commander led an inquiry by the Ceasefire Joint Monitoring Commission into the events in Abyei of 14 to 20 May and produced a draft report. Finalization of the report, which was to be submitted to the Ceasefire Political Commission in July, has

however been repeatedly delayed by both sides. I urge both parties to ensure the completion of the report and, in accordance with its findings, to take action against those responsible for the violence, looting, and displacement of the civilian population of the town and surrounding areas.

Southern Kordofan

15. Positive developments continued in Southern Kordofan State. On 4 August, senior officials formally launched the integration of the former SPLM-controlled ("closed") areas around Kauda and Julud into the State administration. Some 4,443 SPLM workers and around 1,500 police personnel from the former "closed" areas are being absorbed into State civil service and police structures. This represents an important step towards implementing a long-neglected aspect of the Comprehensive Peace Agreement.

Redeployment of forces

16. As at 4 October, the total redeployment of SAF troops verified by UNMIS and accepted by the Ceasefire Joint Monitoring Commission stood at 96.9 per cent of the 46,403 troops initially stated as being present south of the current border line. For SPLA, verified and accepted redeployment stood at 10.6 per cent of 59,168 troops initially stated as being present north of the current border line.

17. The relatively low percentage of redeployed SPLA forces remains a source of tension, as does the concentration of military forces in the vicinity of the oilfields and other areas of the disputed border line. However some progress was made in verification of SPLA forces in areas of tension. In Southern Kordofan, 3,737 SPLA troops were verified in the contested area of White Lake/Jaw and are awaiting redeployment south of the current border line. Meanwhile in Blue Nile State, UNMIS verified 18 SPLA tanks reported to have crossed from Ethiopia in July. Early in September, SPLA offered to draw all former Fifth Front forces together in Samari, Blue Nile State, for monitoring and verification. Owing to heavy rains and logistical problems, the monitoring and verification operation was conducted in five separate locations. The stated figures of SPLA were 5,760 troops, of which 3,895 could be verified.

Joint Integrated Units

18. As at 4 October, the Joint Integrated Units had reached 84.7 per cent of their mandated strength of 39,639 troops, SAF soldiers comprising 52.4 per cent and SPLA 47.6 per cent of the total. However, the Units still lack communication equipment, transport, administrative facilities, habitation, water and sanitation. Financial and logistic supply lines have yet to be unified. Working with the Unit headquarters in Juba, UNMIS is exploring options to accelerate logistical support and specialist assistance for the Units from the international community. The United Kingdom, the Netherlands and Italy expressed willingness to provide funding, while the Government of Egypt committed itself to providing tents, generators and mess utilities through direct supply.

National census and elections

19. In August, national authorities began the process of scanning data gathered during the April census. According to the United Nations Population Fund

(UNFPA), major results including population totals at State, county and locality levels, and the north-south ratios, are expected by the end of 2008. The Comprehensive Peace Agreement foresees the use of census results in apportioning National Assembly seats and in the delimitation of constituencies.

20. Despite the adoption of the electoral law in July, other electoral preparations made little progress in the reporting period. As at 4 October, the nine-member National Elections Commission called for in the Comprehensive Peace Agreement had still not been formed. Delays in establishing the Commission and allocating funds however could make it difficult to adhere to the target election date of July 2009. Once established and funded, the Commission will need to rapidly build up its staff and offices at the national, regional and State levels, and develop policy on issues from voter registration and the enfranchisement of internally displaced persons to the delimitation of constituencies at all levels of the complex electoral process.

21. The Political Parties Affairs Council, required to effect registration of political parties, has also not been formed. Aspects of the broader legal framework, including the media and press laws and the National Security Act, need to be brought into conformity with the Bill of Rights enshrined in the Interim National Constitution of the Sudan. The Referendum Act, a vital piece of enabling legislation for the self-determination of the people of Southern Sudan, is also long overdue.

Wealth-sharing

22. In the first week of August, the Joint Technical Committee for Monitoring, Calculating and Sharing of Oil Revenue indicated that arrears to the Government of Southern Sudan for the period 2005-2007 have been steadily paid, reducing them to approximately $55.86 million. There are none outstanding for the first half of 2008. Both NCP and SPLM stated that the data provided by the Committee addressed some concerns regarding increased transparency in sharing oil revenue data. SPLM requested that attention should be paid to delays in the transfer of funds. It also called for splitting the Oil Revenue Stabilization Account into two accounts so that the Government of Southern Sudan could accrue interest on the funds.

V. Implementation of other peace processes in the Sudan

23. From 15 to 17 August the Beja Congress, the dominant component of the erstwhile Eastern Front, held its second ever General Conference, and re-elected Musa Mohamed Ahmed as Chairperson. Non-Beja members of the Eastern Front's Central Committee boycotted the conference and subsequently decided to freeze Ahmed's membership in the Eastern Front. The row raised concerns that factional divisions could further slow implementation of the Eastern Sudan Peace Agreement, distracting attention from key concerns of the people of eastern Sudan.

24. The signing of the Final Peace Agreement between the Lord's Resistance Army and the Government of Uganda remains uncertain, despite re-established contacts in the past two months between the LRA leader, Joseph Kony, the Chief Mediator, Lieutenant General Riek Machar, and my Special Envoy, Joaquim Chissano. The Final Peace Agreement was not signed as scheduled on 6 September in Ri-Kwangba because Kony broke contact just a few days before the signing.

Failure to bring the peace talks to a close will increase concern about security and stability in the region, in particular, in Greater Equatoria and Southern Sudan.

25. The new Joint African Union-United Nations Chief Mediator for Darfur, Djibril Yipènè Bassolé, took office on 31 July and has begun intensive consultations to establish the basis for a mediation strategy. After preliminary consultations in New York, he held meetings with Government officials and various stakeholders in Khartoum, Juba and El Fasher, including representatives of rebel movements. Khalil Ibrahim of the Justice and Equality Movement (JEM) and Abdul Wahid al-Nur of SLA expressed willingness to continue with the political process in their meetings with the Chief Mediator. Mr. Bassolé also paid visits to the African Union Commission in Addis Ababa and to regional actors in Cairo and Asmara. He will soon go to Tripoli and N'Djamena for similar consultations.

VI. Implementation of the mandate of the United Nations Mission in the Sudan

Good offices, conflict management and reconciliation

26. Throughout the reporting period, my Special Representative maintained constant dialogue with the leadership of NCP and SPLM, as well as other key stakeholders in the Sudan peace process. Working through the ceasefire institutions established under the Comprehensive Peace Agreement, UNMIS urged the parties to move forward on pending issues, such as redeployment of forces out of the area covered by the Abyei Road Map Agreement. My Special Representative also encouraged the leadership on both sides to advance the issue of border demarcation and held meetings with the Chairman and Deputy Chairman of the Border Commission.

27. As civilian disarmament campaigns got under way in Southern Sudan, UNMIS encouraged a comprehensive, civilian-led approach, limiting the role of SPLA to protection support. My Special Representative offered United Nations assistance, drawing on experience from other missions, and UNMIS proposed the loan of containers to SPLA to ensure safe storage of collected weapons. UNMIS and the United Nations Development Programme (UNDP) worked closely with the Government of Southern Sudan, and its newly established Bureau for Community Security and Arms Control, to develop a comprehensive policy for the whole of Southern Sudan.

28. UNMIS continued to provide capacity-building and good offices to community- and State-led initiatives in support of conflict management and reconciliation. The absence of a clear institutionalized approach to resolving local disputes, including tribal, cattle-raiding and transboundary issues, has eroded confidence in institutions like the Southern Sudan Peace Commission. This issue will increase in salience as the elections approach and issues such as constituency delimitation take on more importance.

Military deployment and activities

29. As at 4 October 2008, 99.52 per cent (9,333 out of 9,375) of UNMIS military personnel have been deployed, including 611 military observers, 178 staff officers and 8,544 troops.

30. Throughout the reporting period, the UNMIS military maintained its regular support to the ceasefire mechanisms. The Ceasefire Joint Monitoring Commission and the Area Joint Military Committees in all six sectors met regularly. Joint patrols of UNMIS military observers and the parties' National Monitors continued to monitor military movements, focusing particularly on verification of troops in the Abyei Road Map area and Blue Nile State. Restrictions on UNMIS freedom of movement were lifted in many areas and the number of monitoring and verification denials decreased significantly, although limitations remained, particularly in Sector VI (Abyei). In September, UNMIS military supported a workshop series initiated by SPLA to enhance awareness of the Comprehensive Peace Agreement among its senior leaders.

31. In August, the Department of Peacekeeping Operations and the Department of Field Support conducted a joint review of UNMIS military capabilities. Recommendations were informed by the mission threat assessment, which identifies areas of potential conflict along the border line of 1 January 1956 and the southern boundary with the Democratic Republic of the Congo. Subject to budgetary approval, the study recommends the deployment of one additional company in Sector I (Juba), three in Sector IV (Kadugli) and two in Sector VI (Abyei), with an armoured personnel carrier platoon for force protection. Sector V (Damazin) will be downsized from a four-company to a three-company battalion, the fourth company being redeployed to protect the El Obeid Logistics Base. Transport, engineering and medical resources will be restructured accordingly, and demining and engineering resources deployed flexibly to facilitate optimum utilization. Implementation of the review will require an overall increase in the UNMIS force strength from 9,375 to 9,975 troops, which is within the mandated strength (10,000) according to Security Council resolution 1590 (2005).

Abyei assessment

32. A Department of Peacekeeping Operations fact-finding team led by Major General (retired) Patrick Cammaert visited the Sudan from 9 to 12 August, in the wake of criticism and questions regarding UNMIS actions during the Abyei crisis in May. Overall, the team found that, while most of Abyei's population had left before the fighting reached its peak, UNMIS had been successful in protecting a large group of persons inside its compound. At the same time, the team found room for improvement and recommended that the Mission should review its overall deployment, with a view to reinforcing Sector VI and other possible flashpoints. It should also develop an effective and integrated conflict management strategy.

33. Recommendations of the fact-finding mission were incorporated into planning and reflected in recommendations of the military capability study referred to in paragraph 31 above. In the meantime, all facilities have been strengthened with available resources.

Police

34. As at 4 October 2008, UNMIS police have 599 police advisers from 43 countries (at 84 per cent of mandated strength), including 48 women, deployed to 22 sites across the mission area.

35. UNMIS police continued to train local police personnel throughout the Mission area, with a special focus on basic training. A total of 1,700 Government police officers were trained in forensics, crime investigation, gender issues, computers, explosives awareness and community policing. UNMIS commenced training of 100 Government women police officers in Khartoum in gender issues, child protection and dealing with cases of domestic violence. Once trained, those police officers will staff Family Protection Desks to extend services to women and children who come in contact with the law.

36. In the south, UNMIS trained 2,104 Southern Sudan Police Service officers in airport security, community policing, computers, criminal investigation, traffic and special operations. The details of over 6,500 officers were harmonized and added to the UNMIS police personnel database. UNMIS also assisted in the finalization of the annual budget of the Southern Sudan Police Service and the streamlining of payroll operations. In a bid to promote gender mainstreaming and improve professional standards of women officers, UNMIS, supported by the Common Humanitarian Fund, is running literacy classes in Juba for 38 women officers of the Southern Sudan Police Service.

37. In the coming months, increased training of trainers will be required to enable the Southern Sudan Police Service to take over basic training itself by December 2008. Additional UNMIS police personnel may be required to support this goal and expand existing training activities in the north and eastern Sudan. Currently, expansion of co-location, field training and community policing to more internally displaced person camps is on hold for lack of sufficient numbers of qualified police advisers. Recommendations for a review of the size of the UNMIS police component will be submitted to the Council in my next report.

Disarmament, demobilization and reintegration

38. UNMIS continued to work with the parties to drive forward plans for the commencement of the multi-year disarmament, demobilization and reintegration programme in the Sudan. In a positive development, the Northern and Southern Disarmament, Demobilization and Reintegration Commissions agreed on modalities for operations in the Three Areas, in which they will form an integrated structure to lead and oversee the programme. This marks an important step forward, as both SAF and SPLA have a high number of pre-registered participants in disarmament, demobilization and reintegration in these areas. Of the benchmarks identified in my April report for the start of the programme, only the finalization of the joint operational plan for disarmament and demobilization is outstanding.

39. On 9 September, the National Disarmament, Demobilization and Reintegration Coordination Council agreed to conduct a pilot disarmament and demobilization programme for 700 to 1,000 beneficiaries. My Special Representative has pledged the full support of the United Nations for this exercise, which is planned for November. Following assessment of the lessons from this exercise, demobilization would then continue in Blue Nile and be extended in 2009, first to Southern

Kordofan and gradually throughout the country. The programme will unfold in line with joint priorities, local conditions of stability, Government and United Nations operational readiness and available donor funding. A round-table conference for donors is expected to be held in Juba in November.

40. UNMIS, through the United Nations Children's Fund (UNICEF), commenced reintegration activities for 88 children formerly associated with SPLA, who were demobilized in May 2008. Almost all have now received follow-up visits by social workers and are enrolled in school. UNMIS supported UNICEF and the Southern Sudan Disarmament, Demobilization and Reintegration Commission in the distribution of non-food items to the children. Reintegration activities are ongoing for children previously demobilized in Khartoum, Gedaref and Southern Kordofan States. In eastern Sudan, UNDP supported the demobilization of 1,700 former combatants who are currently going through the reintegration process.

Return and reintegration

41. Despite the risks posed by impassable roads along major return routes during the wet season, sporadic spontaneous returns continued throughout the period, particularly by river barge. Organized repatriation of refugees and internally displaced persons came to a complete halt as hazardous road conditions, incompatible school calendars in countries of asylum, and the beginning of the planting season contributed to an unfavourable climate for further returns. Seasonal flooding meanwhile caused new displacement in various parts of the country, in some cases exacerbating harsh living conditions for those already displaced or recently returned.

42. Organized movements of internally displaced persons remained unchanged during the reporting period, 28,151 persons having returned so far in 2008, bringing the total number of returns to 80,938. By mid-September, the Office of the United Nations High Commissioner for Refugees (UNHCR) reported a cumulative total for organized and assisted refugee repatriation of 137,620 individuals, of whom 60,665 had arrived during 2008. Since the signing of the Comprehensive Peace Agreement in 2005, the grand total, including spontaneous repatriation, has reached 294,450. Combined with estimated movements of internally displaced persons, total spontaneous returns by late September were calculated to have reached well over 2 million persons. Cumulative totals from organized operations and spontaneous return estimates suggested that more than 2.37 million Sudanese had reached home by mid-October 2008.

Recovery and development

43. Progress in implementing humanitarian programmes helped to establish a foundation for long-term recovery and development. Programmes are progressing in the area of road construction, mine clearance, vaccination, and training of teachers, lawyers, police and government officials. More than 85,000 internally displaced persons were assisted in the first half of the year, and 3.4 million people received food assistance. Of $2.37 billion budgeted in the annual humanitarian workplan, donors had contributed $1.24 billion by August. During the first two quarters of 2008, humanitarian expenditure increased by $81 million to a total of $1.95 billion, mostly because of increased food prices and related transport costs.

44. Early recovery efforts are likewise on track. In the south, the Sudan Recovery Fund-Southern Sudan received $113 million in pledges for the next three years. Under government leadership, the Fund is now halfway through the first allocation of $20 million for livelihood programmes, and the aim is to accelerate delivery in the coming dry season. Donors contributed $2.5 million of the pledged $24 million to the recently established Darfur Community Peace and Stability Fund.

45. After the Sudan Consortium in May, a follow-up matrix was prepared and endorsed by the World Bank and donors. The matrix constitutes the basis of engagement with the Government of National Unity and the Government of Southern Sudan on enacting and monitoring the decisions of the Sudan Consortium. The third annual State-level planning and budgeting process was undertaken in Southern Sudan, which included an expanded consultation process with local stakeholders and was supported by UNMIS and UNDP. The Government of Southern Sudan completed its draft budget sector plans for 2009. Through the 2009 budget, the Government will continue to demonstrate its commitment to decentralization by significantly increasing the financial and asset transfers to States at an average of $45 million per State in 2009, up from $25 million in 2008.

46. Donor contribution to the Multi-Donor Trust Fund for Phase I (2005-2007) was approximately $662 million (including investments), $247 million being allocated to the National Trust Fund and $414 million to the Southern Sudan Trust Fund. The actual disbursements totalled $232 million (including programme management), $93 million for the National Trust Fund and $139 million for the Southern Sudan Trust Fund. Nationally, the Multi-Donor Trust Fund is continuing with activities carried over from Phase I, while the Oversight Committee is in dialogue with the Government of National Unity to detail the Phase II strategy. In the south, the Southern Sudan strategy for Phase II was approved and is being implemented.

47. The United Nations framework for supporting the transition to recovery and development, the United Nations Development Assistance Framework (UNDAF) 2009-2012, was signed by the Government in July 2008. Developed by joint United Nations-Government technical working groups, UNDAF defines the United Nations programmatic contributions in the Sudan, based on national priorities for the next four years. United Nations agencies are now proceeding to translate UNDAF into programmes that will start in 2009.

Human rights

48. UNMIS continued to monitor and express concern over the application of the death penalty in both north and south Sudan, particularly following trials that may not have met international standards. As at 4 October, there were 70 persons sentenced to death in Southern Sudan. In most cases, proper legal assistance was not available to them. Two men were executed in Wau and Juba during the reporting period. In July and August 2008, 50 individuals who had been brought to trial for alleged participation in JEM attacks were also sentenced to death by five anti-terrorism courts. Following the announcement of the verdicts, UNMIS raised concerns on procedural aspects of the trials as well as failure to meet international standards. Both the Interim National Constitution and the Interim Constitution of Southern Sudan restrict the application of the death penalty and allow it only as punishment for extremely serious crimes.

49. At the national level, the reform of the National Intelligence and Security Services and the establishment of the National Human Rights Commission remained outstanding. These are of increasing importance in view of the upcoming elections. Press freedom in the north also remains a concern. Newspapers faced regular censorship by national security. In September, two Sudanese English-language newspapers with offices in the south had their licences suspended by the National Press Council for failing to adhere to administrative rules.

50. In Southern Sudan, UNMIS reported increased engagement on human rights issues by civil society organizations and Government representatives, including the Office of the President's Adviser on Gender and Human Rights. However, institutions involved in safeguarding the rule of law need to be strengthened. Access to justice remained a challenge. Impunity continues to be a concern, as investigations into human rights violations are not always addressed promptly. Many detainees are held in inadequate conditions, for prolonged periods of time, without having their cases reviewed by competent judicial authorities.

Electoral assistance

51. On 16 August, UNMIS received a formal written request for electoral assistance from the Government of Southern Sudan. UNMIS has confirmed its intention to provide assistance in line with the Mission's mandate. A parallel request from authorities in Khartoum is expected in due course, and assistance will be forthcoming. Various staffing scenarios have been developed to respond to different levels of assistance that could be requested by the Sudanese authorities. Once the nature and extent of the required assistance is clear, it is likely that UNMIS will need to recruit additional staff quickly in order to provide the requested support.

52. UNMIS now has core staff in place in Khartoum and at the regional office in Juba as well as small teams in each of the 10 States of Southern Sudan. UNMIS is continuing to expand the size of the State teams in the south and is moving to increase capacity in Khartoum and Juba. There are also plans to recruit a small team for El Fasher to facilitate closer coordination with UNAMID. UNMIS and UNDP are actively engaged in coordination mechanisms both within the United Nations system and with the international community.

Rule of law

53. In Southern Sudan, UNMIS continued to monitor and advise on legal reform. The Southern Sudan Penal Code, Criminal Procedure Code, Child Bill, and related legislation were promulgated during this period with UNMIS advisory support. UNMIS, in coordination with UNDP, supported the Land Commission in drafting a land policy for Southern Sudan, on which an eventual land law will be based. UNMIS continues to support the Prisons Service of Southern Sudan in the development of a Prisons Bill and prison operating procedures. At the national level, the Police Act was passed.

54. While United Nations support to the prison system is limited by the availability of resources, UNMIS continued its assessment of prisons in the north. On 31 July, national authorities requested UNMIS assistance to organize training for corrections officers. In the south, UNMIS helped to provide basic training to 954 former SPLA officials, including 284 women, deployed to the prisons service.

UNMIS also provided in-service training to staff in Rumbek and Juba, and maintained an advisory presence in all 10 Southern States.

Child protection

55. Ninety-nine children associated with the Justice and Equality Movement who were detained following the attack on Omdurman in May were pardoned by the President. On 8 September, 54 of those children were released to Western Darfur, where 42 have been reunited with their families. Inadequate protection measures for 29 of the 45 children who remain in the interim care centre north of Khartoum continue to raise concern. There is apprehension that the Government may continue to use these children as witnesses in the trials of JEM adult combatants, notwithstanding strong advocacy by the United Nations to the contrary. Of grave concern is the fact that one 16-year-old child in detention has received the death penalty under sharia law. An appeal against the death sentence has been lodged by the child's legal representatives.

56. The Southern Sudan Legislative Assembly passed the 2008 Child Bill in August, and it awaits signature by the President of Southern Sudan. The bill contains provisions advocated for by UNMIS and others, including an increase in the age of criminal responsibility from 10 to 12 years, alternatives to the incarceration of child offenders, and stronger punishment for abduction and trafficking.

57. In Abyei, of more than 255 children reported missing following the May conflict, 190 were reunited with their families or otherwise accounted for by early August. Tracing efforts for the remaining children are ongoing.

Protection of civilians

58. Civilians continue to suffer abuses on the part of uniformed personnel. Reports from Warrab State since July indicate that SPLA soldiers were involved in the killing of eight people, rapes, assaults and stealing of local crops. According to civilians interviewed, six women and one adolescent girl were raped, and three women miscarried after being beaten. Also of concern are civilian killings and injuries during forced civilian disarmament initiatives. Clashes between tribal communities continued to cause civilian deaths and displacement, particularly in Jonglei State. UNMIS is engaging all components of the Mission in the development of a comprehensive strategy for the protection of civilians.

Public information

59. The Mission continued to promote factual and accurate reporting on UNMIS activities by national and international media through briefings, statements and interviews. The UNMIS Public Information Office continues to upgrade its media monitoring capacity, providing an enhanced information service to all Mission components on mandate-relevant news and commentary. *In Sudan*, the recently launched UNMIS periodical, focuses on activities related to the Comprehensive Peace Agreement carried out by the Mission and the wider United Nations system. The Public Information Office cooperates closely with the electoral and disarmament, demobilization and reintegration units on production and dissemination of awareness-raising information materials. The electoral law is now accessible in English and Arabic via the UNMIS website. The Public Information

Office also provides continuing information support on humanitarian issues as a lead member of the Inter-Agency Working Group, especially through its wide-ranging video and photographic coverage of humanitarian activities, much of which is used by international media outlets.

60. UNMIS radio (Miraya FM) still faces operational restrictions in the north and the Three Areas. In Southern Sudan, it broadcasts information on 13 FM relay stations. Miraya FM can be heard throughout the country on short-wave radio. The provisions of the Comprehensive Peace Agreement aimed at promoting media reform, which need to be implemented in advance of the elections, have yet to be addressed by the parties.

Mine action

61. To date, UNMIS mine action teams have cleared 2,107 of the 3,956 identified dangerous areas, and opened 27,155 kilometres of road. As the rainy season limited demining operations, the focus was on the recruitment and training of deminers and the prioritization of routes and areas to be cleared in the dry season, in collaboration with other United Nations agencies, State governments and non-governmental organizations. In-country training and accreditation was completed for newly arrived mine-clearance companies. Work continued to develop national capacity and permit the transfer of mine action regulatory responsibilities to them, including through the third transition workshop, held in Khartoum in August.

Conduct and discipline

62. UNMIS maintained its focus on the prevention of misconduct and sexual exploitation and abuse through training programmes, outreach campaigns and policy advice to managers regarding potential risk factors. Mandatory training on prevention of workplace harassment, sexual harassment and abuse of authority was introduced. Over 250 participants attended public information campaigns in Juba and at Ahfad University for Women in Omdurman. Increased awareness of the United Nations zero-tolerance policy on sexual exploitation and abuse, and collaborative outreach activities with national authorities, United Nations agencies and the non-governmental organization community helped to keep incidents of serious misconduct at a minimum. During the period under review, 21 new cases of misconduct were reported.

Gender

63. UNMIS continued to support full implementation of Security Council resolution 1325 (2000) through gender and capacity-building training to the Government of National Unity, the Government of Southern Sudan, United Nations agencies, and other State and non-State actors. In the south and the Three Areas, UNMIS conducted gender awareness-raising activities on governance, elections, disarmament, demobilization and reintegration and support to victims of gender-based violence with Government representatives. This included encouraging the inclusion of gender perspectives in planned new legislation and security sector reform activities. Internally, UNMIS established a Gender Task Force and conducted training on gender mainstreaming for UNMIS gender focal points from various regional offices.

HIV/AIDS

64. UNMIS continued its programme of HIV/AIDS sensitization, training 198 HIV/AIDS peer educators, 50 of whom have the task of mainstreaming HIV/AIDS in disarmament, demobilization and reintegration programmes in the Sudan. HIV/AIDS awareness training targeted peacekeepers (1,484), local police (107), prisons (344), students (865), non-governmental organizations (106) and the general population (541), for a total of 3,447 who received information on HIV/AIDS. To prevent the spread of the disease, 750,000 condoms were distributed as part of the disarmament, demobilization and reintegration programmes and another 28,800 to prisons. The focus during the reporting period was on mainstreaming the HIV/AIDS issue into Mission activities and integrating it into outreach programmes.

Staff security

65. Demonstrations against the International Criminal Court continued throughout the country. To mitigate potential security incidents, UNMIS international and national warden systems were made operational, relocation drills were held, and daily radio checks were instituted. Building evacuation and fire warden exercises were held in July, and security measures at the UNMIS main headquarters building were reinforced. Meetings between the Mission and the Government were held to exchange information regarding the safety of United Nations staff. A dedicated staff security patrol and a response team were activated. Road safety and categorization assessment missions were conducted to identify potential threats and to update the standard operating procedures for staff missions and the use of United Nations vehicles. Security of United Nations staff and infrastructure remains a major concern in the context of possible future activities of the International Criminal Court in the Sudan.

66. There was a slight decrease in security incidents in Southern Sudan, attributable to the rainy season. Several incidents of armed robbery and pick-pocketing were reported. Violations of the status-of-forces agreement against United Nations staff included an incident in Yambio on 2 September, in which the weapons of a Signal Company were seized and a national staff member was arrested and kept in custody for several days. In Sector IV (Kadugli), work on enhancing security measures for the UNMIS camp continues. The situation in Blue Nile State remained relatively calm during the reporting period. In Sector V (Damazin) and Kassala, eastern Sudan, the presence of unexploded ordnance and mines posed an increased risk to United Nations staff.

67. UNMIS updated its security plan and security risk assessments, and recommended measures to address potential problem areas such as elections, issues associated with border demarcation, and ongoing tension over the indictment by the International Criminal Court.

Coordination with other peacekeeping missions

68. As instructed by the Security Council in its resolution 1812 (2008), UNMIS implemented the cooperation mechanisms with UNAMID outlined in my last report. UNAMID leadership participated in the UNMIS senior management retreat, and contact was maintained at both senior management and working levels. Regular exchange of information between UNMIS and the military component of the United

Nations Organization Mission in the Democratic Republic of the Congo is also ongoing, particularly in the light of increased reports of LRA activity in September.

Financial aspects

69. The General Assembly, by its resolution 62/267 of 20 June 2008, appropriated an amount of $820.7 million for the maintenance of UNMIS for the period from 1 July 2008 to 30 June 2009. Should the Security Council decide to extend the mandate of UNMIS beyond 30 April 2009, the cost of maintaining the Mission until 30 June 2009 would be limited to the amounts approved by the General Assembly.

70. As at 31 July 2008, unpaid assessed contributions to the Special Account for UNMIS amounted to $636.6 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $3,568.7 million.

71. Reimbursement of troop-contributing Governments for troop and contingent-owned equipment costs has been made for the periods up to 31 August and 30 June 2008, respectively.

VII. Observations

72. The lack of mutual trust and confidence between NCP and SPLM remains the main challenge for the implementation of the Comprehensive Peace Agreement. This lack of trust consequently permeates into all major pending benchmarks set under the Agreement. The onus of improving mutual trust and confidence lies with the leadership of both sides. I urge the leaders to make efforts to improve their relationship in the spirit of the Comprehensive Peace Agreement.

73. There have also been positive developments, however. The Abyei Road Map Agreement was a significant achievement by the two partners in the Comprehensive Peace Agreement. The parties have successfully redeployed most of their forces out of the interim borders. There has been agreement on the Chairman and Deputy Chairman of the interim administration and the remaining members of the Abyei Executive and Area Councils have been appointed. The deployment of the Abyei Joint Integrated Unit and the Joint Integrated Police Unit is in progress. The process of arbitration on a final settlement of the issue is under way in the Permanent Court of Arbitration at The Hague. It is imperative now that the two parties redeploy their remaining forces out of the interim borders immediately. Setting up the interim administration should also be completed as a priority. There is also a need to harmonize the training and equipment of the Joint Integrated Units in order to achieve meaningful integration and operability. The Sudan Armed Forces must issue the requisite equipment to the Units in Abyei. While the decision on the final settlement lies with the Permanent Court of Arbitration, peaceful implementation of that decision, once again, would be the sole responsibility of the two partners. Further, I urge both parties to ensure the early completion of the Abyei report of the Ceasefire Joint Monitoring Commission and to take action against those found responsible for the violence and looting in accordance with the report's findings.

74. Demarcation of the border is a critical benchmark with implications for almost all other benchmarks under the Comprehensive Peace Agreement. The technical report of the Border Commission is expected to be submitted to the Presidency by mid-October. It is likely that the report will generate political disagreements that

will have to be resolved before the physical demarcation of the border on the ground is carried out. I urge the Presidency to reach agreement on the report as quickly as possible to ensure a timely commencement of the demarcation process. In proceeding with the demarcation process, a grassroots approach should be developed to explain to the local pastoral communities that the border will not be an impediment to their traditional movements.

75. I urge the parties to immediately lift all remaining restrictions of movement for UNMIS to enable the Mission to carry out its mandate in a comprehensive manner and assist the parties in maintaining peace to the maximum extent possible. I would also urge close coordination between the Ceasefire Political Commission and the Joint Defence Board to ensure that decisions taken by the Commission are implemented without undue delay. It is important for UNMIS to participate in the meetings of the Joint Defence Board that discuss support to and training of Joint Integrated Units, in order to provide support in line with the provisions of Security Council resolution 1812 (2008).

76. Census enumeration has been completed, and the census forms are now being processed. I hope the process will be successfully completed and its results accepted by the two parties, to facilitate the full and timely implementation of the Comprehensive Peace Agreement.

77. The parties have successfully passed the electoral law, and negotiations to appoint the members of the National Elections Commission are in progress. The United Nations has already received a request for electoral assistance from the Government of Southern Sudan and a needs assessment mission from Headquarters will be visiting the Sudan in this regard. As soon as the National Elections Commission is established, United Nations and international electoral assistance would also be coordinated at the national level. It will also be important for the Government to make budgetary provision for the work of the Commission so that it can carry out its many duties from its inception.

78. Successful implementation of the disarmament, demobilization and reintegration programme is critical to peace in the Sudan and will contribute significantly to confidence-building between the parties that should lead to a sustainable downsizing of military capabilities to the benefit of social expenditure. Disarmament and demobilization alone cannot lead to a durable peace, however. The disarmed and demobilized combatants must be reintegrated into the society as citizens with fair and just opportunities to be part of the workforce. In this regard, I urge the donor community to be generous with their pledges at the round-table conference to be held in November. Assisting the parties to peacefully implement the Comprehensive Peace Agreement on schedule remains an imperative.

79. In 2011, the people of Southern Sudan and Abyei will exercise their legitimate right of self-determination to vote for unity or separation. Whether the verdict is unity or separation, the sides cannot ignore their interdependence and common interest. I encourage the parties to initiate discussions on a long-term wealth-sharing agreement beyond 2011 for the sake of peace and the people of the Sudan.

80. I would like to suggest that the Security Council consider holding a thorough debate on provisions related to the protection of civilians in imminent danger under Chapter VII of the Charter of the United Nations, taking into consideration the public expectations such mandate provisions generate. Clear guidelines need to be

developed that can be translated into realistic rules of engagement for peacekeepers equipped with the requisite capacity.

81. As indicated above, developments in the Sudan will be influenced to a large extent by the relevant activities of the International Criminal Court, and its actions could have the potential to profoundly affect the work of the United Nations in the Sudan, including humanitarian efforts, and the ongoing peace process in the Sudan. Accordingly, I urge the Government of the Sudan to cooperate with the International Criminal Court and put in place an effective judicial and political process at the national level. It is critical that the Government of National Unity fully implement its obligations and commitments with respect to the peaceful implementation of the Comprehensive Peace Agreement, the comprehensive improvement of the situation in Darfur, and its cooperation with both UNMIS and UNAMID.

82. In conclusion, I wish to extend my gratitude to my Special Representative, to all United Nations personnel working in the Sudan and to the Member States, including troop-contributing countries and donors, for their determined efforts to support the implementation of the Comprehensive Peace Agreement.

Annex

Military and police component as at 7 October 2008

	Military component									
	Observers		*Staff officers*		*Troops*		*Military subtotal*		*Civilian police*	
Country	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*
Argentina									3	
Australia	5	1	8	1			13	2	8	2
Bangladesh	23		27		1 529	4	1 579	4	33	1
Belgium	3						3			
Benin	6						6			
Bolivia	20						20			
Bosnia and Herzegovina									4	2
Botswana	5						5			
Brazil	24						24		3	
Burkina Faso	6						6			
Cambodia	7		1		135		143			
Canada	22	2	6	2			28	4	6	
China	14		9		425	10	448	10	18	
Croatia			5				5			
Denmark	4	1	3				7	1	2	
Ecuador	20						20			
Egypt	23		18		781	15	822	15	14	
El Salvador	5						5		6	1
Ethiopia									15	
Fiji	7						7		8	
Finland			1				1		1	
France										
Gabon	5						5			
Gambia									17	1
Germany	33		5				38		5	
Ghana									15	2
Greece	3						3			
Guatemala	7		1				8			
Guinea	9						9			
India	19		25	1	2 576	5	2 620	6	71	7
Indonesia	12						12		7	
Italy										
Jamaica										
Jordan	14		6				20		26	2

	Military component									
	Observers		Staff officers		Troops		Military subtotal		Civilian police	
Country	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Kenya	4	1		1	776	44	780	46	16	3
Kyrgyzstan	8	18					6			1
Malawi	6									
Malaysia	8		2				10		4	
Mali	4						4		1	
Mongolia	2						2			
Mozambique	1						1			
Namibia	8	1					8	1	1	
Nepal	10		7				17		51	1
Netherlands	14		2				16		13	1
New Zealand	2		1				3			
Niger										
Nigeria	12						12		26	5
Norway	17		5	1			22	1	6	
Pakistan	15		20		1 535	7	1 570	7	11	1
Paraguay	8						8			
Peru	18						18			
Philippines	13						13		6	4
Poland	2						2			
Republic of Korea	7		1				8	1		
Republic of Moldova	1						1			
Romania	14						14			
Russian Federation	12		3		120		135		14	
Rwanda	14		2		251	3	267	3	8	
Samoa									8	
Senegal										
South Africa										
Sri Lanka	7						7		19	
Sweden	2		2				4		7	3
Thailand	10	2					10	2		
Turkey			3				3		32	1
Uganda	9	1					9	1	4	3
Ukraine	13						13		7	
United Kingdom			3				3			
United Republic of Tanzania	15	2					15	2		
United States of America									11	

	Military component									
	Observers		*Staff officers*		*Troops*		*Military subtotal*		*Civilian police*	
Country	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*
Uruguay	1						1		1	
Yemen	22		1				23		8	
Zambia	17		6		329	15	352	15	7	2
Zimbabwe	7	3					7	3	24	3
Totals by gender	**599**	**15**	**173**	**6**	**8 457**	**103**	**9 229**	**124**	**547**	**46**
Total	**614**		**179**		**8 560**		**9 353**		**593**	

United Nations S/2008/663

Security Council

Distr.: General
21 October 2008

Original: English

Letter dated 16 October 2008 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Military Observer Group in India and Pakistan (UNMOGIP).

Following the usual consultations, it is my intention to appoint Major General Kim Moon Hwa (Republic of Korea) as Chief Military Observer of UNMOGIP. Major General Kim will replace Major General Dragutin Repinc (Croatia), who relinquished his post on 28 December 2007.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-56215 (E) 211008

United Nations S/2008/664

Security Council

Distr.: General
21 October 2008

Original: English

Letter dated 20 October 2008 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 16 October 2008 (S/2008/663) concerning your intention to appoint Major General Kim Moon Hwa (Republic of Korea) as Chief Military Observer of the United Nations Military Observer Group in India and Pakistan has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) **Zhang** Yesui
President of the Security Council

08-56221 (E) 211008

United Nations S/2008/665

Security Council

Distr.: General
21 October 2008

Original: English

Letter dated 16 October 2008 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Mission in Liberia (UNMIL) established by the Security Council in its resolution 1509 (2003) and extended by the Council in its resolution 1836 (2008).

Following the usual consultations, I would like to inform you of my intention to appoint Lieutenant General A.T.M. Zahirul Alam (Bangladesh) as Force Commander of UNMIL. Lieutenant General Alam will replace Lieutenant General Chikadibia Obiakor of Nigeria, whose tour ended on 18 July 2008. I would like to take this opportunity to express my gratitude to Lieutenant General Obiakor for his exemplary and highly professional service in UNMIL.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-56209 (E) 211008

United Nations S/2008/666

Security Council

Distr.: General
21 October 2008

Original: English

Letter dated 20 October 2008 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 16 October 2008 (S/2008/665) concerning your intention to appoint Lieutenant General A. T. M. Zahirul Alam (Bangladesh) as Force Commander of the United Nations Mission in Liberia has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) **Zhang** Yesui
President of the Security Council

08-56227 (E) 211008

United Nations A/ES-10/424–S/2008/667

General Assembly
Security Council

Distr.: General
21 October 2008

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 20 October 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In the light of recent developments, I am compelled to once again draw your attention to the vastly destructive consequences of Israel's ongoing illegal settlement campaign in the Occupied Palestinian Territory, including East Jerusalem, particularly acts of Israeli settler terrorism against Palestinian civilians.

This pernicious settlement campaign, which is being carried out by Israel, the occupying Power, in grave breach of international humanitarian law, continues to obstruct efforts to advance the peace process as it continues to undermine and fragment the territorial contiguity, integrity and unity of the Palestinian territory and also continues to gravely affect the lives of the Palestinian civilian population in numerous aspects. Not only are the Palestinian people continuously subjected to the confiscation of their land, demolition of their homes, the imposition of severe and discriminatory restrictions on movement and residence for the direct intention of facilitating Israel's unlawful settlement and wall construction and expansion in the Occupied Palestinian Territory, particularly in and around East Jerusalem, they continue also to be tormented by Israeli settlers that have been illegally transferred to the Occupied Territory and that act with depraved lawlessness towards the Palestinian civilian population.

In this regard, I regret to inform you that Israeli settler violence and terrorism against the Palestinian people is increasing in a scope and scale as armed, extremist settlers have intensified their destructive rampage against Palestinian civilians and their properties in recent days. The latest incidents have involved a series of attacks by Israeli settlers against Palestinians attempting to harvest their olive crops. As in the past, this annual olive harvest, upon which thousands of Palestinian families are dependent for their livelihood, is being jeopardized by settler violence against Palestinian farmers and their families, many of whose olive groves are located on lands near illegal Israeli settlements.

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The most recent incident took place in an area near the West Bank city of Al-Khalil (Hebron), which has often been plagued by settler terror and high tension and volatility between the 650 extremist settlers transferred to the area and the more than 150,000 Palestinian civilians living there, whose existence, human dignity and well-being is under constant threat from the terror of these settlers. On Saturday, 18 October, Israeli settlers descended upon Palestinian olive harvesters in Tal Al-Rumeidah. As Israeli soldiers looked on, the settlers attacked the harvesters and also attacked foreign peace activists who had come to provide protection to the farmers and journalists and photographers in the area, beating and injuring several of them. Rather than arresting the settlers for these crimes or acting in a decisive manner to bring a halt to such settler violence, the Israeli occupying forces declared the area a "closed military zone", bringing instead a halt to the olive harvest, thus endangering the livelihoods of the many people depending on that harvest for sustenance and income and punishing instead the Palestinian people rather than the criminal settlers.

This incident proves once again that the impunity of the Israeli settlers is directly abetted by the Israeli occupying forces, which typically stand idly by allowing settlers to harass, intimidate, terrorize and attack Palestinians and their lands and properties with no legal consequence for their actions and no protection for the innocent civilians. Even when they murder Palestinian civilians, such as the recent killing of a young Palestinian shepherd in late September, Israeli settlers are rarely held accountable for their crimes and enjoy virtually complete immunity from the law. In this regard, we must state clearly that Israel, the occupying Power, is responsible for the actions of the settlers it has transferred to the Occupied Palestinian Territory, including East Jerusalem, in grave breach of the Fourth Geneva Convention, and it must be held accountable.

In this connection, I must also draw your attention to an escalation in Israeli shootings and killing of Palestinian civilians, including civilians protesting the recent settler violence. In the past week, three Palestinians, Abdel Qader Zeid, 17 years old, Mohammad Jamal Al-Ramahi, 21 years old, and Abdel Aziz B'eirat, 20 years old, were killed by the occupying forces in the Ramallah area amidst rising confrontations and tension between settlers, particularly from the "Beit El" settlement, and the Palestinian civilian population in the surrounding communities. These killings, in addition to routine Israeli firing upon Palestinians demonstrating against other illegal occupation practices such as the continued construction of the wall, create only greater tension, instability and mistrust, undermining efforts to promote calm, law and order and to advance the peace process.

Such current developments remind us again how gravely Israel's illegal settlements and their inhabitants threaten the future prospects for peace. The international community must remain firm in its condemnation and rejection of Israel's illegal settlement campaign in the Occupied Palestinian Territory, including East Jerusalem, and must continue demanding that Israel, the occupying Power, abide by all of its obligations in this regard under international humanitarian law, United Nations resolutions and the Quartet's road map. At the same time, the international community must call upon Israel to take immediate action to bring about a cessation of all acts of settler violence and terror against Palestinian civilians, These are requisites for upholding the law, promoting calm and salvaging the peace process.

The present letter is in follow-up to our previous 319 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. Those letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 29 September 2008 (A/ES-10/423-S/2008/629), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

Annex to the identical letters dated 20 October 2008 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (from Wednesday, 18 June 2008, to Thursday, 16 October 2008)

Wednesday, 18 June 2008

Rami Abu Swaireh

Monday, 23 June 2008

1. Iyad Radwan Khanfar
2. Tareq Jumaa' Abu Ghali

Sunday, 29 June 2008

Mohammad Nasser Daraghma (17 years old)

Wednesday, 9 July 2008

Talal Saeed Abed

Thursday, 10 July 2008

Saleem Jumaa' Al-Humaidi (18 years old)

Friday, 11 July 2008

Mahmoud Othman Assi

Saturday, 26 July 2008

Shihab El-Din Al-Natsha

Tuesday, 29 July 2008

Ahmad Hossam Moussa (9 years old)

Monday, 4 August 2008

Youssef Ahmad Aa'mira (18 years old)

Wednesday, 10 September 2008

Waleed Fareed Fraitakh

Saturday, 13 September 2008

Hassan Mohammad Abd Hmaid (16 years old)

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 5,279.

Saturday, 20 September 2008

1. Miriam Ahmad Ali
2. Shuhaib Yasser Saleh (14 years old)

Saturday, 27 September 2008

Yehya Bani Meniya (18 years old)

Tuesday, 14 October 2008

Abdel Qader Zeid (17 years old)

Wednesday, 15 October 2008

Mohammad Jamal Al-Ramahi

Thursday, 16 October 2008

Abdel Aziz B'eirat